

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

CARL LANE,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 04-952
)	Chief Judge Ambrose
JOHN RILEY, et al.,)	Magistrate Judge Caiazza
)	In Re: Doc. 54
)	
Defendants.)	

MEMORANDUM ORDER

The Plaintiff's complaint was received by the Clerk of Court on June 25, 2004, and was referred to United States Magistrate Judge Francis X. Caiazza for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The magistrate judge's Report and Recommendation, filed on November 22, 2005, recommended that Defendant Pushkalai Pillai M.D.'s Supplemental Motion to Dismiss be granted. Service was made on the Plaintiff by First Class United States Mail delivered to the State Correctional Institution at Greene, Waynesburg, Pennsylvania where he is incarcerated. No Objections have been filed.

After of the pleadings and documents in the case, together with the Report and Recommendation, the following Order is entered:

AND NOW, this 14th day of Dec., 2005,

IT IS HEREBY ORDERED that Defendant Pushkalai Pillai, M.D.'s Supplemental Motion to Dismiss is GRANTED and Pushkalai Pillai, M.D. is DISMISSED from this action.

IT IS FURTHER ORDERED, the Report and Recommendation of Magistrate Judge Caiazza (Doc. 80) dated November 22, 2005, is adopted as the opinion of the court.

Donetta W. Ambrose
Donetta W. Ambrose
Chief U. S. District Court Judge

cc:

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